

District of Virginia - Charlottesville Division

Sides, et al, Plaintiffs vs.
Kessler, et al, Defendants

Civil Case No. 3:17-cv-00072

Defendant Christopher Cantwell's October 21st 2021
Letter Brief in Support of ECF 11(a) and ECF 1172

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA
FILED

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Dear Judge Moon and Judge Hoppe,

OCT 22 2021

JULIA C. DUDLEY CLERK
BY: DEPUTY CLERK

Today I received Plaintiffs' opposition to the above referenced motions of mine, to introduce statements against interest of unavailable witnesses Emily Gorczanski and Davonne Dixon. These documents should be as offensive to the Court as they are amusing to me. In them, the Plaintiffs pretend to be unaware of Dixon and Gorczanski's ties to violent Left Wing extremism, and how that might have any bearing on the issues in this case.

The Plaintiffs make these claims of ignorance, despite having been informed, in excruciating detail, of how they fit in to my defense, no later than January of 2020. I filed my "Objection to Evidentiary Sanctions Against Defendant Kline" mere hours before the FBI broke my door down and seized all of my electronics. The Kline objection was adapted from a document I began compiling as soon as I was compelled to fire my attorneys, and lays out the bulk of what I believe the facts to be, and the evidence I was able to gather in support of those facts.

My defense in this case, which I believe is the same or similar to the defense raised by my co-defendants, is two fold.

1. We did not conspire as alleged.
2. The violence that ensued was the result of a conspiracy in which this lawsuit is a continuing course of action. The Plaintiffs either knew or should have known about that conspiracy, and to the extent they generally suffered any damages, they are the authors of their own misfortune.

I said as much in my response to the Plaintiff's Second Amended Complaint, speaking from memory, and without the benefit of either document for reference. One of the Plaintiff's first paragraphs stated the violence "was no accident". I replied confirming this, but saying the Defendants were the victims, not the perpetrators, of the planned criminal conspiracy. I have said so in countless filings since. In addition to what I stated in the referenced motions, I detailed the relevance of the videos and other exhibits in my Exhibits list.

The idea that Plaintiffs find it difficult to determine the purpose of Gorcenski's repeated statements confirms his Antifa associations, and his unceasing endorsement of violence against the Defendants, is underserving of the assumptions of good faith this Court has afforded them throughout these proceedings.

I am alleging a conspiracy, in much the same way the Plaintiffs have alleged a conspiracy. The statements of the conspirators are near the ONLY way to prove such a thing.

Gorcenski: Fled the country before my Albemarle Criminal matter concluded. Gorcenski contradicted his own sworn testimony. He made false exculpatory statements. He took pictures of me while his co-conspirators attempted to frame me for brandishing. He has publicly endorsed violence before, during, and after these events.

If Gorcenski had not fled, he would be confronted with all of these facts on the stand.

Regarding Mr. Dexon, his statements in the video are corroborated by his own Facebook posts. They are relevant beyond the allegations against Mr. Fields, in that the Plaintiffs accuse me and others of endorsing racially motivated murder, while knowing we have ample reason to believe Fields was

wrongfully convicted. This evidence is important both because Fields was, in fact, wrongfully convicted, and because it puts the Defendants' statements in context.

Prior to learning of the Plaintiffs' experts, in April of 2021, I had little concern for proving any of this. The Plaintiffs have no evidence of the Defendants' non-existent conspiracy. As I stated when I learned of these experts, only through the Court's decision on my co-defendants' motion to exclude their testimony, this shifted the burden of proof substantially. That shifted burden prompted the need to prove the conspiracy against the Defendants.

Had the Plaintiffs disclosed these experts to me in a timely manner, as was their obligation, we would not be in this position today. Instead, they sent nearly all correspondence, in this case to an email address they knew I could not check for fourteen months, and I only learned of this moving of the goalposts after discovery had closed.

Then, the Plaintiffs sent me a 2TB encrypted hard drive while I was in jail, as if that solved the problem. It did not solve the problem.

Then, the United States Government took that drive away from me, and I only got it back 9-15-2021. Just over two weeks later, on October 9th 2021, I was again separated from this evidence when I was transported for this trial, and though I asked USP Marion Staff to ship it to me, I have gotten no

The evidence I seek to admit is real, it is reputable, it is corroborated, it is material to my defense, and the Plaintiffs are deceiving this Court by playing dumb.

Had the Plaintiffs met their obligations, I could have subpoenaed and deposed Dixon and Gorczenski and their other co-conspirator. I could have subpoenaed Twitter to authenticate the Tweets.

I was deprived of these opportunities by their conduct, and they have opposed my motions to continue the trial, reopen discovery, and extend pretrial deadlines.

For these reasons, the evidence should be admitted, or, my motions to continue, reopen, and extend, should be granted.

Respectfully Submitted,
Christopher Cantwell

10-21-2021

